

RESOLUTION NO.____-09

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WHEATLAND
ADOPTING FEES FOR THE FOG CONTROL PROGRAM FOR FY2009/10**

WHEREAS, the City of Wheatland has adopted Ordinance No. 417, which added Chapter 13.22 to the Wheatland Municipal Code to regulate the discharge of fats, oils, and grease into the City's sewer system (FOG Control Program) as mandated by the State of California; and

WHEREAS, the City is responsible for establishing, administering, regulating and enforcing the City's FOG Control Program; and

WHEREAS, the City receives no reimbursement from the State for the costs associated with establishing, administering, regulating and enforcing the City's FOG Control Program; and

WHEREAS, the City Council proposes to recover costs associated with the City's FOG Control Program through permitting fees, enforcement fees and fees for various activities required by the Program; and

WHEREAS, the Public Works Director and City Engineer have estimated costs associated with establishing, administering, regulating and enforcing the City's FOG Control Program; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of Wheatland that, in accordance with Chapter 13.22 to the Wheatland Municipal Code, the City shall charge the following fees in conjunction with the City's FOG Control Program for Fiscal Year 2009/10:

Annual FOG Waste Discharge Permit (WDP) Fee = \$180 per FSE

This fee is collected to cover the City's costs for processing annual FOG permits, perform semi-annual site inspections, and for annual reporting to the State.

FOG Re-inspection = \$90 per re-inspection

This fee is collected for additional inspections required to determine whether specified corrective actions for noted violations have been implemented and if additional improvements are required.

Notice of Violation = \$265 per violation

This fee is collected from parties receiving a FOG discharge permit notice of violation.

Grease Disposal Mitigation Fee = \$280

If it is physically impossible for the Applicant to construct or install the required FOG prevention devices then a hardship waiver, conditional waiver or variance

from compliance is issued and an annual Grease Disposal Mitigation Fee is collected. This fee is used to off-set the City's increased cost associated with removing FOG from the collection system.

Enforcement Actions & Other Activities = Time and Materials + Standard City Overhead Percentage Rate

The City may charge for activities, not otherwise defined above, relating to enforcement, inspection, plan check and administration costs related administering the FOG Program at the City's cost plus the City's standard administrative overhead rate.

Fees shall be valid from July 1st to June 30th of each year and shall be adjusted annually based on estimates of the actual time expended by Staff on various activities and/or automatically according to the most recently published Consumer Price Index (CPI) for the Sacramento area. In the case that the FOG Control Program fees are not adjusted and adopted by June 30th, the fees established in the prior fiscal year shall remain in effect until such time that they are adjusted to the current fiscal year.

PASSED AND ADOPTED by the City Council of the City of Wheatland on the ____ day of September 2009, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Enita Elphick, Mayor

Attest:

Lisa J. Thomason, City Clerk